

**AGENDA**  
**Joint meeting of the Veneta Planning Commission & Veneta City Council**  
Monday - **June 6, 2005** - 7:00 p.m.  
Veneta City Hall

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I. REVIEW AGENDA

II. PUBLIC COMMENT: If you wish to address the Planning Commission about an issue which is not on the agenda; state your name, address, and limit your comments to 3 minutes.

III. APPROVAL OF MINUTES: May 2, 2005, Pages 1-3 (joint meeting) for May 11, 2005, and May 26, 2005 (site visit)

PUBLIC HEARINGS will follow the following format. Please refer to the reverse side of the agenda for rules governing public testimony and criteria for each type of proposed use.

1. Open Hearing
2. Declaration of Conflict of Interest or Ex-Parte Contacts
3. Staff Report
4. Public Testimony **(SEE REVERSE SIDE OF AGENDA)**
5. Questions from the Veneta City Council and Planning Commission
6. Close of Public Hearing
7. Deliberation and Decision

IV. JOINT PUBLIC HEARING: Veneta City Council & Veneta Planning Commission

- A. Call Veneta City Council to Order
- B. COVEN ESTATES 2 - (V-3-05) Variance to Veneta's Wetland Protection Ordinance (Veneta Municipal Code Chapter 18.10) to allow development within a delineated wetlands. Assessors map 18-05-06-20, tax lot 420
- C. Adjourn City Council

V. PUBLIC HEARING & LIMITED LAND USE ACTIONS:

COVEN ESTATES 2 - Tentative Subdivision Plan (S-1-05), Conditional Use Permit to allow development within the Greenway Subzone (CUP-4-05) and Variance to allow panhandle lots (V-2-05) - East end of Cherry Street.  
Assessors map 18-05-06-20, tax lot 420

VI. PUBLIC HEARING

YAMAZAKI - Request to rezone a parcel of land located at 25294 Hunter Road from Rural Residential to Single Family Residential (ZC-1-05)  
Assessors map 17-05-31-31, tax lot 500

VII. LIMITED LAND USE DECISIONS:

- A. AUSTIN ACRES SUBDIVISION - Tentative Subdivision Plan (S-2-05) for a 25 lot subdivision on the south side of Hunter Avenue, east of Territorial Road.  
Assessors map 17-05-31-32, tax lots 800 & 1400
- B. LAWLER SUBDIVISION - Tentative Subdivision Plan (S-3-05) for a 9 lot subdivision on the north side of Bolton Hill Road between 6<sup>th</sup> and 8<sup>th</sup> Streets (24881 Bolton Hill)  
Assessors map 17-06-36-43, tax lot 100
- C. TRINITY TERRACE SUBDIVISION -(S-5-04) - Final Plat for an 81 lot subdivision on the east side of E. Bolton Road at the intersection with Pine Street  
Assessor's map 17-05-31-31, tax lot 4700 and Assessor's map 17-05-31-34, tax lots 100, 400, & 500

VIII. OTHER:

- A. Request for an extension of Veneta Business Park Subdivision
- B. Administrative Decisions
- C. Reminder - Region 2050 Open House - June 9, 2005
- D. Presentation by Veneta Planning Assistant Samantha Haschert on Veneta Project will be made at the June 27, 2005 Veneta City Council meeting

IX. ADJOURN:

**The next Planning Commission meeting will be held on Tuesday, July 5, 2005 at 7:00 p.m.**

Decisions by the Planning Commission for land use applications are issued with a FINAL ORDER. A Planning Commission Decision may be appealed to the Veneta City Council within 15 days after the Final Order has been signed and mailed. If a written Notice of Appeal is not filed within 15 days of the date the Final Order of the Planning Commission decision is mailed, the decision becomes final. Veneta Land Development Ordinance 417, Section 2.07 (1-3) and Veneta Land Division Ordinance 418, Section 8.03 (4) *Location is wheelchair accessible (WCA). Communication interpreter, including American Sign Language (ASL) interpretation, is available with 48 hours notice. Contact Sheryl Hackett Phone (541) 935-2191, FAX (541) 935-1838 or by TTY Telecommunications Relay Service 1-800-735-1232.*

**THIS MEETING WILL BE TAPE-RECORDED.**

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**BLIC HEARINGS** - Please observe the following rules.

**WRITTEN TESTIMONY:**

Written comments received seven (7) days prior to the meeting have been incorporated in the staff report. All comments, including those received up until the meeting, are presented to the Planning Commission members to be considered in their decision.

**ORAL TESTIMONY:**

If you wish to testify with regard to a matter which has been set for *Public Hearing* please observe the following rules:

1. **State your name and address.**
2. **Indicate if you are in favor of or opposed to the proposal.**
3. **Limit your testimony to three (3) minutes. Testimony must be specific to the issue at hand. Keep your comments brief and to the point.**

The Planning Commission considers all public comments, staff reports, and City ordinances in arriving at a final decision. **Staff reports are available for review at Veneta City Hall - 88184 8th Street - Veneta, Oregon.**

**LAND USE DECISIONS - Veneta Municipal Code Chapter 18.05**

Whenever this chapter is in effect, the following procedures or procedure similar thereto shall be followed by the city staff and applicable decision-making body: (1) Preparation of brief statement setting forth the criteria and standards considered relevant to the decision of the city staff. Such shall utilize criteria and standards found in the applicable ordinance, the comprehensive plan, and other ordinances and rules and regulations now in effect a from time to time adopted by the city council and appropriate decision-making body.

CRITERIA FOR VARIANCE TO VENETA'S WETLAND PROTECTION ORDINANCE  
Veneta Municipal Code Chapter 18.10.060, Section 18.10.060, Variances

- (1) For parcels that have no usable building site through application of the requirements of this chapter, a variance may be granted to allow development on the parcel; provided, that the design of the development, minimizes impact to the wetland.
- (2) A variance may be granted in those instances where claims of map error are verified by the Division of State Lands.
- (3) A variance may be granted in those instances where the planning commission and city council jointly determine that the public need outweighs the potential adverse impacts of development in or near a locally significant wetland resource site.

CATEGORIES FOR REVIEW OF TENTATIVE SUBDIVISION PLAN APPLICATIONS  
Veneta Land Division Ordinance, Article 4, Section 4.03

*The Planning Commission may approve, approve with conditions, or deny a tentative plan based on the standards found in the following sections of the Land Division Ordinance, Land Development Ordinance, and other sources specified in this section:*

- (1) *The transportation system supports the new development and provides vehicular, bicycle, and pedestrian access to each lot in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and the Veneta Transportation System Plan.*
- (2) *Each lot will be served with sanitary sewer (or septic systems), water, and other public utilities in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; the requirements of the zoning district (Land Development Ordinance); and City utility plans.*
- (3) *The surface water drainage shall be in conformance with the City's Drainage Master Plan and other applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).*
- (4) *Topography, floodplain, wetlands, and vegetation have been incorporated into the subdivision design in conformance with the applicable City requirements, including Design Standards (Article 6) and Improvement Requirements (Article 7) of this Land Division Ordinance; and the requirements of the zoning district (Land Development Ordinance).*
- (5) *Development of any remainder of property under the same ownership can be accomplished in accordance with city requirements.*
- (6) *Adjoining land can be developed or is provided access that will allow its development in accordance with city requirements.*
- (7) *The proposed preliminary plat complies with all of the applicable city requirements, including Design Standards (Article 6), Improvement Requirements (Article 7), and the requirements of the zoning district (Land Development Ordinance).*

## *CIRCUMSTANCES FOR GRANTING VARIANCES TO ALLOW PANHANDLE LOTS*

### *Veneta Land Division Ordinance 418, Article 2, Section 2.05*

*Subsection (3)(b) - The Planning Commission shall consider the variance petition. Refer to the Notice of Public Hearing in Article 2 of the Land Development Ordinance for notification requirements. A variance or conditional variance may be granted provided all the following circumstances exist:*

- 1. That there are special circumstances or conditions affecting the property.*
- 2. That the variance is necessary for the proper design and/or function of the subdivision.*
- 3. That the granting of a variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.*
- 4. That the granting of the variance is in accordance with the purposes and objectives of the Comprehensive Plan and other related Veneta ordinances.*
- 5. That the variance is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would result from strict compliance with the regulations of this ordinance.*
- 6. And if applicable, that the variance is necessary to conform to an approved planned unit development approach which utilizes new planning and development techniques that do not necessarily conform with the more conventional standards of land division, design or improvements prescribed by this ordinance.*

## *CATEGORIES FOR REVIEW OF CONDITIONAL USE PERMITS*

### *Veneta Land Development Ordinance, Article 8*

*Section 8.10 GENERAL STANDARDS OF APPROVAL - A conditional use may be granted only if:*

- (1) The proposed use is consistent with the Veneta Comprehensive Plan.*
- (2) The proposed use is consistent with the purpose of the zoning district.*
- (3) The potential negative impacts of the proposed use on adjacent properties and on the public will be mitigated through the application of existing requirements and conditions of approval.*
- (4) All required public facilities have adequate capacity to serve the proposal.*
- (5) The site size, dimensions, location, topography, and access are adequate considering such items as the bulk, coverage or density of the proposed development; the generation of traffic; environmental quality impacts; and health, safety or general welfare concerns.*

*Section 8.20 SPECIAL STANDARDS GOVERNING CONDITIONAL USES – Certain conditional uses shall meet the following standards:*

*Section 8.20(19) Standards for development in the GW subzone. The development must comply with all standards listed below. If the proposed development cannot comply with all the standards, the Planning Commission must determine what balance is needed between the public benefits provided by standards (a) through (e) and the private benefits provided by standards (f) and (g).*

- (a) Fish and wildlife habitats and wildlife movement corridors will be protected.*
- (b) Scenic qualities and viewpoints will be preserved.*
- (c) Natural drainageways are protected and the stormwater plans comply with an approved stormwater drainage management plan. Erosion will be prevented or controlled.*
- (d) Significant trees and other site vegetation will be preserved.*
- (e) Stream corridors and wetland will be protected and provided with buffers.*
- (f) The practical needs of construction activity are provided for in terms of ingress and egress.*
- (g) Exceptional and undue hardship upon property owner or developer is avoided.*

**CRITERIA FOR ZONE CHANGE FROM RURAL RESIDENTIAL TO SINGLE FAMILY RESIDENTIAL**  
**Veneta Comprehensive Plan, Ordinance 416, Section III. A. Policy 6**

- (1) Water:** The City water supply and distribution system are adequate to provide service to the property proposed for conversion to urban densities.
- (2) Sewer:** The City sewer treatment and collection system are adequate to provide service to the property for conversion to urban densities.
- (3) Streets:** The neighborhood streets and drainage system are adequate to handle additional traffic and storm drainage.

**REVIEW AND ACTION PROCEDURES FOR FINAL SUBDIVISION PLATS**  
**Veneta Land Division Ordinance 417, Article 4, Section 4.06**

- (1)** Upon receipt, the plat and other required data shall be reviewed by the Building and Planning Official, City Engineer and Public Works Director to determine that the land division as shown is substantially the same as it appeared on the approved tentative plan, meets any conditions of approval, and that there has been compliance with provisions of the law and of this ordinance.
- (2)** The City may make such checks in the field as are desirable to verify that the plat is sufficiently correct on the ground and City representatives may enter the property for this purpose.
- (3)** If it is determined that full conformity has not been made, the Building and Planning Official shall advise the land divider of the changes or additions that must be made and shall afford the land divider an opportunity to make the changes or additions. Upon the approval of the City Engineer and Public Works Director, the Planning Commission shall determine whether it conforms with the approved tentative plan and with these regulations. If the Planning Commission does not approve the plat, the Commission shall advise the land divider of the changes or additions that must be made and shall afford him or her an opportunity to make corrections.

If the Planning Commission determines that the plat conforms to all requirements, it shall give approval, provided supplemental documents and provisions for required improvements are satisfactory. Approval shall be indicated by the signature of the Chairperson of the Planning Commission on the plat. The approval of the plat does not constitute or effect an

*acceptance by the public of the dedication of any street or other easements shown on the plat.*